

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

BRAYON WILLIAMS,

Plaintiff,

v.

STATE OF MISSOURI, et al.,

Defendants.

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No. 2:25-cv-00023-SRW

MEMORANDUM AND ORDER

This matter is before the Court upon review of the file. Plaintiff Brayon Williams commenced this civil action in February 2025, alleging violations of his civil rights at Fulton Reception & Diagnostic Center, a Missouri Department of Corrections institution. ECF No. 1. On April 3, 2025, the Court directed Plaintiff to file an amended complaint on a Court-provided form, and to file a certified prison account statement in support of his motion to proceed without prepayment of fees and costs. ECF No. 3. The Court cautioned Plaintiff that his failure to timely comply with the Order would result in the dismissal of the case without further notice. *Id.* at 2. Plaintiff's response was due by May 5, 2025.

To date, Plaintiff has neither responded to the Court's Order, nor sought additional time to do so. Plaintiff was given meaningful notice of what was expected, he was cautioned that his case would be dismissed if he failed to timely comply, and he was given ample time to comply. The Court will therefore dismiss this action, without prejudice, due to Plaintiff's failure to comply with the Court's April 3, 2025 Order and his failure to prosecute his case. *See* Fed. R. Civ. P. 41(b); *see also Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962) (the authority of a court to dismiss *sua sponte* for lack of prosecution is inherent power governed "by the control necessarily vested

in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases”); *Brown v. Frey*, 806 F.2d 801, 803 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff’s failure to comply with any court order).

Accordingly,

IT IS HEREBY ORDERED that this case is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS FURTHER ORDERED that Plaintiff’s motion for leave to proceed *in forma pauperis* [ECF No. 2] is **DENIED as moot**.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.

Dated this 22nd day of May, 2025.

A handwritten signature in cursive script, reading "Audrey G. Fleissig", is written over a horizontal line.

AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE